

APPENDIX B - PART II: APPLICABLE COASTAL PLANS AND POLICIES

- Coastal Plan Policies
- Estero Area Plan
- Framework For Planning – Coastal
- North Coast Area Plan
- San Luis Bay Area Plan – Coastal
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- Title 23 Coastal Zone Land Use Ordinance



1. COASTAL PLAN POLICIES - LOCAL COASTAL PROGRAM

The Coastal Plan Policies were adopted in 1988, and amended in 1995. The California Coastal Act of 1976 mandates that local governments prepare a land use plan and schedule of implementing actions to carry out the policies of the Coastal Act. The Coastal Plan Policies represents the county's commitment to implement the Coastal Act through both general plan policies and identification of detailed land use recommendations.

Table B.2-1 Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Sensitive Habitats -Policy 1	New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed within the area.	Potentially Consistent: Refer to General Response 18. Coastal Plan Policies are implemented as standards.
Wetlands - Policy 5	Coastal wetlands are recognized as environmentally sensitive habitat areas. The natural ecological functioning and productivity of wetlands and estuaries shall be protected, preserved and where feasible, restored.	Potentially Consistent: Refer to General Response 18. Coastal Plan Policies are implemented as standards.
Wetlands - Policy 14	Development adjacent to coastal wetlands shall be sited and designed to prevent significant impacts to wetlands through noise, sediment or other disturbances. Development shall be located as far away from the wetland as feasible, consistent with other habitat values on the site.	Potentially Consistent: Refer to General Response 18. Coastal Plan Policies are implemented as standards.
Wetlands Policy 15	In new development, a buffer strip shall be required and maintained in natural condition along the periphery of all wetlands. This shall be a minimum of 100 feet in width measured from the upland extent of the wetland unless a more detailed requirement for a greater or lesser amount is included in the LUE or the LUO would allow for adjustment to recognize the constraints which the minimum buffer would impose upon existing subdivided lots.	Potentially Consistent: Refer to General Response 18. Coastal Plan Policies are implemented as standards.
Coastal Streams Policy 18	Coastal streams and adjoining riparian vegetation are environmentally sensitive habitat areas and the natural hydrological system and ecological function of coastal streams shall be protected and preserved.	Potentially Consistent: Refer to General Responses 3 and 18. Coastal Plan Policies are implemented as standards.
Coastal Streams Policy 19	Development adjacent to or within the watershed (that portion within the coastal zone) shall be sited and designed to prevent impacts which would significantly degrade the coastal habitat and shall be compatible with the continuance of such habitat areas. This shall include evaluation of erosion and runoff concerns.	Potentially Consistent: Refer to General Responses 3 and 18. Coastal Plan Policies are implemented as standards.



Table B.2-1 Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Coastal Streams Policy 26	In rural areas (outside the USL) a buffer setback zone of 100 feet shall be established between any new development (including new agricultural development) and the upland edge of riparian habitats. In urban areas this minimum standard shall be 50 feet except where a lesser buffer is specifically permitted. The buffer zone shall be maintained in natural condition along the periphery of all streams. Permitted uses within the buffer strip shall be limited to passive recreational, educational or existing nonstructural agricultural developments in accordance with adopted best management practices. Other uses that may be found appropriate are limited to utility lines, pipelines, drainage and flood control facilities, bridges and road approaches to bridges to cross a stream and roads when it can be demonstrated that: 1) alternative routes are infeasible or more environmentally damaging and 2) adverse environmental effects are mitigated to the maximum extent feasible. Lesser setbacks on existing parcels may be permitted if application of the minimum setback standards would render the parcel physically unusable for the principal permitted use. In allowing a reduction in the minimum setbacks, they shall be reduced only to the point at which a principal permitted use (as modified as much as is practical from a design standpoint) can be accommodated.	Potentially Consistent: Refer to General Responses 3 and 18. Coastal Plan Policies are implemented as standards.
Terrestrial Environments Policy 27	Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community. Only uses dependent on the resource shall be permitted within the identified sensitive habitat portion of the site. Development adjacent to environmentally sensitive habitat areas and holdings of the State Department of Parks and Recreation shall be sited and designed to prevent impacts that would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.	Potentially Consistent: Refer to General Responses 2 and 18. Coastal Plan Policies are implemented as standards.
Terrestrial Environments Policy 28	Native trees and plant cover shall be protected wherever possible. Native plants shall be used where vegetation is removed.	Potentially Consistent: Refer to General Responses 2 and 18. Coastal Plan Policies are implemented as standards.
Terrestrial Environments Policy 33	Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value. All development shall be designed to disturb the minimum amount possible of wildlife or plant habitat.	Potentially Consistent: Refer to General Responses 3 and 18. Coastal Plan Policies are implemented as standards.



Table B.2-1 Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Environmentally Sensitive Habitats Policy 1	New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed within the area.	Potentially Consistent: Refer to General Responses 2 and 18. Coastal Plan Policies are implemented as standards.
Environmentally Sensitive Habitats Policy 14	Development adjacent to coastal wetlands shall be sited and designed to prevent significant impacts to wetlands through noise, sediment or other disturbances. Development shall be located as far away from the wetland as feasible, consistent with other habitat values on the site.	Potentially Consistent: Refer to General Responses 2 and 18. Coastal Plan Policies are implemented as standards.
Environmentally Sensitive Habitats Policy 20	Coastal streams and adjoining riparian vegetation are environmentally sensitive habitat areas and the natural hydrological system and ecological function of coastal streams shall be protected and preserved.	Potentially Consistent: Refer to General Responses 3 and 18. Coastal Plan Policies are implemented as standards.
Environmentally Sensitive Habitats Policy 35	Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value. All development shall be designed to disturb the minimum amount possible of wildlife or plant habitat.	Potentially Consistent: Refer to General Responses 2 and 18. Coastal Plan Policies are implemented as standards.
Agriculture Policy 4	A single-family residence and any accessory agricultural buildings necessary to agricultural use shall, where possible, be located on other than prime agricultural soils and shall incorporate whatever mitigation measures are necessary to reduce negative impacts on adjacent agricultural uses.	Potentially Consistent: Within the Coastal Zone, this policy is implemented as a standard. Projects subject to the Grading and Stormwater Management Ordinances will be required to adhere to this policy. A criterion for approval, as required under Measure AG-1(a) will require that non-agricultural development be located off of prime farmland to the maximum extent feasible.
Coastal Watersheds Policy 1	The long-term integrity of groundwater basins within the coastal zone shall be protected. The safe yield of the groundwater basin, including return and retained water, shall not be exceeded except as part of a conjunctive use or resource management program which assures that the biological productivity of aquatic habitats are not significantly adversely impacted.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances provide standards for groundwater recharge. Water availability in groundwater basins is reviewed and considered annually under the Resource Management System. In areas where groundwater availability is a concern, the County can establish a Level of Severity rating. In some areas, for example Los Osos, the County has established a water fixture retrofit program to reduce water demand.



Table B.2-1 Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Coastal Watersheds Policy 7	<p>Grading for the purpose of creating a site for a structure or other development shall be limited to slopes of less than 20 percent except:</p> <ul style="list-style-type: none"> Existing lots of record in the Residential Single-Family category and where a residence cannot be feasibly sited on a slope less than 20 percent; When grading of an access road or driveway is necessary to provide access to an area of less than 20 percent slope where development is intended to occur, and where there is no less environmentally damaging alternative; The county may approve grading and siting of development on slopes between 20 percent and 30 percent through Minor Use Permit, or Development Plan approval, if otherwise required by the Coastal Zone Land Use Ordinance. <p>Also in review of proposed land divisions, each new parcel shall locate the building envelope and access road on slopes of less than 20 percent. In allowing grading on slopes between 20 percent and 30 percent the county shall consider the specific characteristics of the site and surrounding area that include but are not limited to: the proximity of nearby streams or wetlands, the erosion potential and slope stability of the site, the amount of grading necessary, neighborhood drainage characteristics and measures proposed by the applicant to reduce potential erosion and sedimentation. The county may also consider approving grading on slopes between 20 percent and 30 percent where it has been demonstrated that there is no other feasible method of establishing an allowable use on the site without grading. Grading and erosion control plans shall be prepared by a registered civil engineer and accompany any request to allow grading on slopes between 20 percent and 30 percent. It shall also be demonstrated that the proposed grading is sensitive to the natural landform of the site and surrounding area.</p>	<p>Potentially Consistent: The proposed Grading and Stormwater Management Ordinances implement this policy through proposed Section 23.05.030.b.(2).</p>
Coastal Watersheds Policy 8	<p>Land clearing and grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period.</p>	<p>Potentially Consistent: The proposed Grading and Stormwater Management Ordinances implement this requirement through proposed Section 23.05.042 and Section 23.05.048.c.</p>



Table B.2-1 Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Coastal Watersheds Policy 9	Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation. Measures should be utilized from the start of site preparation. Selection of appropriate control measures shall be based on evaluation of the development's design, site conditions, predevelopment erosion rates, environmental sensitivity of the adjacent areas and also consider costs of on-going maintenance. A site specific erosion control plan shall be prepared by a qualified soil scientist or other qualified professional. To the extent feasible, non-structural erosion techniques, including the use of native species of plants, shall be preferred to control run-off and reduce increased sedimentation.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances implement this requirement through Section 23.05.042 and Section 23.05.048.c.
Coastal Watersheds Policy 10	Site design shall ensure that drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances implement this policy through Sections 23.05.040 and 23.05.048.
Coastal Watersheds Policy 11	In suitable recharge areas, site design and layout shall retain runoff on-site to the extent feasible to maximize groundwater recharge and to maintain in-stream flows and riparian habitats.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances include provisions for groundwater recharge in proposed Section 23.05.046 and 23.05.048.e.
Coastal Watersheds Policy 12	Agricultural practices shall minimize erosion and sedimentation through accepted management practices that aid soil conservation. The Soil Conservation Service should be encouraged to continue education programs regarding soils management.	Potentially Consistent: To qualify for agricultural exemptions or alternative review, agricultural grading will need to employ recognized agricultural practices, such as those identified by the Natural Resources Conservation Service (NRCS – formerly Soil Conservation Service).
Coastal Watersheds Policy 13	Vegetation clearance on slopes greater than 30% in geologically unstable areas or on soils rated as having severe erosion hazards shall require an erosion and sedimentation control plan. Stream vegetation removal is discussed in greater detail in the Sensitive Habitat chapter.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances implement this policy through Section 23.05.042.
Coastal Watersheds Policy 14	Proper soil conservation techniques and grazing methods shall to the maximum extent feasible be employed in accordance with the 208 water quality standards adopted by the California Water Quality Control Board.	Potentially Consistent: To qualify for agricultural exemptions or alternative review, agricultural grading will need to employ recognized agricultural practices, such as those identified by the Natural Resources Conservation Service (NRCS – formerly Soil Conservation Service). Additionally, agricultural uses involving the disturbance of more than 1 acre will need to either provide a Stormwater Pollution Prevention Plan and seek coverage under the State Water Resources Board's General Construction Permit, or they will need to follow the requirements under the conditional agricultural waiver. In any case, implementation of appropriate Best Management Practices will be required.



Table B.2-1 Coastal Plan Policies- Local Coastal Plan

Section	Ordinance	Discussion
Visual and Scenic Resources Policy 1	Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible.	Potentially Consistent: Refer to General Responses 14 and 18.
Visual and Scenic Resources Policy 5	Grading, earthmoving, major vegetation removal and other landform alterations within public view corridors are to be minimized. Where feasible, contours of the finished surface are to blend with adjacent natural terrain to achieve a consistent grade and natural appearance.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances implement this policy in proposed Section 23.05.048.
Visual and Scenic Resources Policy 7	The location and design of new development shall minimize the need for tree removal. When trees must be removed to accommodate new development or because they are determined to be a safety hazard, the site is to be replanted with similar species or other species which are reflective of the community character.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances do not affect existing ordinance requirements pertaining to tree removal. Coastal Plan Policies are implemented as standards.
Archaeology Policy 1	The county shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archaeological or paleontological resources, adequate mitigation shall be required.	Potentially Consistent: Refer to General Responses



2. ESTERO AREA PLAN

The Estero Area Plan was adopted in 1988, and revised in 2002 and 2008. The Estero Planning Area encompasses the central coastal area of San Luis Obispo County from Point Estero on the north to Point Buchon on the south, and from the coast inland to Los Padres National Forest. This report describes county land use policies for the coastal zone portion of the Estero Planning Area, including regulations that are also adopted as part of the Land Use Ordinances and Local Coastal Program.

Table B.2-2 Estero Area Plan- Public Review Draft

Section	Ordinance	Discussion
Los Osos Environment Goal 1	Protect and enhance the Morro Bay Estuary so that it is a clean, healthy, functioning ecosystem that harbors a diversity of wildlife.	Potentially Consistent: Refer to General Response 19.
Los Osos Air Quality Goal 3	Minimize the amount and length of automobile trips through planning decisions and land use practices.	Potentially Inconsistent: Refer to General Responses 6 and 9.
Cayucos Environment Goal 2	Protect ecological systems and wildlife habitats.	Potentially Consistent: Refer to General Responses 2, 3, and 18.
Cayucos Environment Goal 3	Plan for land use to take full advantage of the natural and agricultural assets of the area.	Potentially Consistent: The Grading and Stormwater Management Ordinances require that development fit in with the natural character of a site and preserve natural areas where feasible. Additionally, maintaining an agricultural exemption and alternative review program in place will encourage further agricultural development.
Rural Area Distribution of Land Uses; Open Space Goal 1	Maintain agriculture and the rural character of the area.	Potentially Inconsistent: Refer to General Responses 6 and 9. The proposed Grading and Stormwater Management Ordinances, however, will not affect density or intensity of development.
Rural Area Distribution of Land Uses; Open Space Goal 3	Prevent further urban and suburban encroachment into the Los Osos and Chorro Valleys in order to maintain valuable agriculture and open space resources.	Potentially Inconsistent: Refer to General Responses 6 and 9. The proposed Grading and Stormwater Management Ordinances, however, will not affect density or intensity of development.
Development Within Resource Capacities Policy 1	Adequate public or private resource capacities shall be available to serve proposed development. Within urban areas, adequate water supply and sewage disposal capacities shall be available to serve both existing and potential development within the community before approval of new land divisions using those services.	Potentially Consistent: Water and sewer will-serve letters will be required before issuance of grading permits if the grading is meant to accommodate structural development.
Rural Land Use Policy 5	Protect ground water supplies for agriculture. Reject proposed general plan amendments that increase density or expand urban areas if resulting development would adversely affect ground water supplies, quality or recharge capability needed for agricultural uses.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances do not affect implementation of Agriculture Element Policy 11, which relates to prioritization of water for agricultural production.



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Section	Ordinance	Discussion
Agriculture Policy 3	Prevent further urban or suburban development, especially in areas of existing small rural lots.	Potentially Inconsistent: Refer to General Responses 6 and 9 The proposed Grading and Stormwater Management Ordinances do not affect legal entitlements in antiquated subdivisions.
The Morros Policy 6	Protect scenic vistas of the Morros.	Potentially Consistent: Refer to General Responses 11 and 14. The Morros are recognized as a significant scenic feature. Development which could result in a potentially significant impact to the Morros may require preparation of an Environmental Impact Report and adoption of overriding findings in order to allow grading permit approval.
Residential Suburban Policy 3	Direct suburban development to areas within the Los Osos urban reserve line that are suitable for development.	Potentially Inconsistent: Refer to General Responses 6 and 9.
Morro Bay Fringe Land Use Policy 1	Prevent urban development outside the Morro Bay city limits, and direct future growth onto developable, non-prime lands within the city.	Potentially Inconsistent: Refer to General Responses 6 and 9.
Residential Rural and Residential Suburban – Creekside Area Policy 1	Protect sensitive habitat by locating development away from environmentally sensitive areas. Provide options, incentives and flexibility to accomplish this.	Potentially Consistent: Refer to General Responses 2 and 18.
Residential Suburban – Southern Hillside Area Policy 1	Protect a contiguous area of sensitive habitat to the maximum extent possible, and maintain its character as a scenic backdrop.	Potentially Consistent: Refer to General Responses 2, 14, and 18.
Los Osos Habitat Conservation Policy 1	Use an ecosystem approach whenever possible to preserve viable areas of sensitive habitat. Instead of focusing only on individual species, emphasize protection of highly sensitive biological communities supported by the Baywood fine sands, such as coastal sage scrub, dune scrub and maritime chaparral.	Potentially Consistent: Refer to General, Responses 2, 3, 4, 11, and 18.
Areawide Water Quality Policy 1	Maintain, and where feasible, restore the quality and biological productivity of coastal waters, streams, wetlands, estuaries, and lakes in order to protect human health and maintain optimum population of marine and other wildlife.	Potentially Consistent: Refer to General Response 19.
Morro Bay Estuary and its Watershed Policy 7	Where appropriate, continue to obtain open space easements for sensitive wetlands and bayfront areas, and encourage other agencies and conservation organizations to obtain open space and conservation easements and fee title to these areas.	Potentially Consistent: Refer to General Responses 2, 3, 4, 11, and 18.
Los Osos Habitat Conservation Program 2 – Habitat Monitoring	The County should monitor development and conservation activities in sensitive habitats in the Los Osos area in order to keep track of the cumulative effects of these activities.	Potentially Consistent: Refer to General Response 11. Cumulative impacts are to be analyzed through the project-specific environmental review process.



Table B.2-2 Estero Area Plan- Public Review Draft

Section	Ordinance	Discussion
Other Sensitive Habitat Program 1.b. Location and Types of Habitat	<p>The county should pursue protection and management of the following sensitive habitats (not in priority order):</p> <ul style="list-style-type: none"> • Eto and Warden Lakes • Villa Creek Lagoon and sandy beach – while limited public access should be provided and monitored due to the sensitive nature of this area, wetlands should be protected and not be disturbed by trails or other improvements • Ecologically significant areas containing riparian habitat, oak woodland, coastal sage scrub, dune scrub, coastal strand, or maritime chaparral communities. 	Potentially Consistent: Refer to General Responses 2, 3, 4, 11, and 18.
Other Sensitive Habitat Program 1.c. Characteristics of Sensitive Habitat.	<p>Where feasible, the county should seek to protect contiguous areas of sensitive habitat that:</p> <ul style="list-style-type: none"> • Support or could support rare, threatened or endangered species • Include a range of vegetation types and slopes to provide heterogeneity • Are sufficiently large to support ecosystem processes • Include buffer areas that separate habitat from incompatible uses • Include continuous wildlife corridors 	Potentially Consistent: Refer to General Responses 2, 3, 4, 11, and 18.
Development Location	a. Location Criteria. Locate new development in locations that will, in order of precedence:	Potentially Consistent: Refer to General Response 16.
	(1) Avoid fire and other natural hazards	
	(2) Prevent disturbance of environmentally sensitive areas	Potentially Consistent: Refer to General Responses 2 and 18.
	(3) Prevent disturbance of prime agricultural soils in the Agriculture land use category	Potentially Inconsistent: Refer to General Response 1.
	(4) Avoid disturbance of cultural resources	Potentially Consistent: Refer to General Response 5.
	(5) Minimize grading and visual impacts resulting from roads and development.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances require that criteria for approval be met before a grading plan can be approved. The criteria for approval require that the amount of site disturbance is the minimum necessary to establish the proposed use and that the grading will not create significant visual impacts. Refer also to General Responses 11 and 14.



Table B.2-2 Estero Area Plan- Public Review Draft

Section	Ordinance	Discussion
	(ii) Significant Natural or Cultural Features or Scenic Vistas. The following natural and cultural features and scenic vistas, as identified in this plan or by applicable study, shall be included in common open space areas where that would best protect such features: environmentally sensitive habitats; areas of archaeological, cultural or historic importance; natural slopes equal to or greater than 30 percent; rock outcrops; highly prominent ridgelines and hillsides; and areas subject to natural hazards such as flood, geologic, and seismic hazards.	Potentially Consistent: Refer to General Response 11.
Areawide: Energy Natural Drainage Courses and Setbacks	To the maximum extent feasible, all drainage courses shall be retained in or enhanced to appear in a natural condition, without channelization for flood control. New development shall be set back from the upland edge of riparian vegetation the maximum amount feasible. In the urban areas (inside the URL), this setback shall be a minimum of 50 feet. In the rural areas (outside the URL), this setback shall be a minimum of 100 feet. A larger setback will be preferable in both urban and rural areas, depending on parcel configuration, slope, vegetation types, habitat quality, water quality, and any other environmental considerations. A greater setback may be required by other standards in this plan. The setback area shall be maintained in an undisturbed condition and restored with a buffer strip consisting of native vegetation, where applicable.	Potentially Consistent: Refer to General Response 3. The proposed Grading and Stormwater Management Ordinances emphasize the use of Low Impact Development (LID) techniques, which encourage preservation of natural drainage patterns.
Areawide: Energy Development Location	New development shall be sited to avoid areas with high constraints or sensitivity for erosion potential, such as areas of alluvium near stream channels, areas underlain by the Franciscan Formation with slopes greater than 20 percent or areas of existing landslides.	Potentially Consistent: Within the Coastal Zone an additional level of approval (Minor Use Permit) is required to develop on slopes in excess of 20 percent. All development is subject to an erosion and sedimentation control plan, and exceptions to erosion control requirements will not be granted in areas where the NRCS rates the soil as being highly erodible.
Rural Area: Biological Habitats	Development shall be designed and located to minimize adverse impacts to important biological resources in conforming with these standards. If there is a conflict between biological resources and these standards, protecting the biological resources takes precedence.	Potentially Consistent: Refer to General Responses 2, 3, 4, 11, and 18.
Rural Area: Highway 1 – Cayucos Viewshed	c. Locations of Development. Locate development, including access roads, in the least visible portion of the site as viewed from Highway, public beaches or the ocean. Alternative locations may be approved where visual effects are reduced to an insignificant level. Use topographic features first and vegetation second to screen development from public view.	Potentially Consistent: Refer to General Responses 11 and 14.



Table B.2-2 Estero Area Plan- Public Review Draft

Section	Ordinance	Discussion
	<p>d. Ridgetop Development—Minor Use Permits and Development Plans (standards for land divisions are addressed in Section IIIB, Land division and Development Design). Locate structures so that they are not silhouetted against the sky as viewed from Highway 1, public beached or the ocean. Where compliance with this standard is infeasible or if all feasible alternatives are more environmentally damaging or more visually obtrusive, the structures shall comply with the following:</p> <ul style="list-style-type: none"> (1) Minimize building height and mass by using low-profile design. (2) Minimize building appearance by using subdued or darker colors that blend with surrounding natural colors. 	<p>Potentially Consistent: Refer to General Responses 11 and 14.</p>
<p>Rural Area: Recreation Development Standards; Cayucos Urban Area: Communitywide Bluff Setbacks</p>	<p>a. Geologic bluff setback. As determined by a site stability evaluation prepared by a certified engineering geologist based upon an on-site evaluation, development shall be set back from the top edge of the bluff sufficiently to withstand bluff erosion and wave action for a period of 75 years without construction of shoreline protective structures that would in the opinion of the Planning Director require substantial alterations to the natural landforms along bluffs and cliffs. In any case, the minimum setback shall be 25 feet.</p>	<p>Potentially Consistent: Refer to General Response 20.</p>
<p>Tree Protection</p>	<p>1. Tree Stands. Development shall be designed to protect and maintain stands to the maximum extent feasible, while allowing reasonable use of the property.</p>	<p>Potentially Consistent: Refer to General Response 2. Tree removal is already governed by Chapter 23.05 of the Coastal Zone Land Use Ordinance. Plot plan approval or Minor Use Permit approval are required in most circumstances.</p>
<p>Sensitive Resource Area (SRA): Baywood Fine Sands Habitat</p>	<p>The following provisions are intended to ensure the long-term preservation of the rare and sensitive Baywood Fine Sands habitat (an Environmentally Sensitive Habitat), and have the following specific objectives:</p> <ul style="list-style-type: none"> • Preserve, maintain, and protect rare and specific endangered species; • Preserve, maintain, and enhance environmentally sensitive Baywood Fine Sands habitat, natural land forms that are barren or covered with non-native plants but are potentially restorable to native plant cover; Morro manzanita and Indian knob mountainbalm populations; • Ensure that new development is compatible with and sensitive to Baywood Fine Sands habitat; and • Subordinate all public and private development to the protection of critical natural areas 	<p>Potentially Consistent: New development under the proposed Grading and Stormwater Management Ordinances is required to comply with SRA requirements.</p>



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Section	Ordinance	Discussion
West of 4th Street – Wetland Protection	Development shall not be located within wetlands or the wetland setback required by Section 23.07 of the Coastal Zone Land Use Ordinance, and shall not cause adverse impacts to wetland vegetation or the Morro Bay estuary.	Potentially Consistent: Refer to General Responses 2 and 18.

3. FRAMEWORK FOR PLANNING- COASTAL

The Coastal Zone Framework for Planning was adopted in 1988, and revised in 2001. The Coastal Framework for Planning constitutes one of the four major sections of the Land Use Element. The document contains policies and procedures that apply to the unincorporated area of the Coastal Zone, defining how the Land Use Element is used together with the Coastal Zone Land Use Ordinance and other adopted plans.

Table B.2-3 Framework for Planning- Coastal

Section	Ordinance	Discussion
General Goals – 1. Environment	Maintain and protect a living environment that is safe, healthful and pleasant for all residents by a. Assuring the protection of coastal resources such as wetlands, coastal streams, forests, marine habitats, and threatened and endangered species.	Potentially Consistent: Refer to General Responses 2 and 18.
	b. Balancing the capacity for growth allowed by the Land Use Element with the sustained availability of resources.	Potentially Consistent: Structural development subject to the Grading and Stormwater Ordinances will be required to provide water/sewer will-serve letters or document sufficient water availability and capability for on-site septic systems.
	c. Conserving nonrenewable resources and replenishing renewable resources.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances would improve water quality, as discussed in Appendix B.1, General Response 19. Additionally, the proposed ordinances include provisions for groundwater recharge.



Table B.2-3 Framework for Planning- Coastal

Section	Ordinance	Discussion
General Goals - 3. Population Growth	Provide for a sustainable rate of orderly development within the planned capacities of resources and services by: b. Establishing a growth management system that protects communities and resources from the adverse effects of growth. d. Guiding allocated development to areas of the county capable of sustaining growth without adverse effects.	The proposed Grading and Stormwater Management Ordinances does not affect existing entitlements granted under the existing General Plan and Land Use Ordinance. However, new development will need to demonstrate adequate water service and capacity for wastewater disposal before a permit will be granted. Additionally, residential development subject to these ordinances would be subject to Title 26 – Growth Management Ordinance. Proposed Title 26 revisions would tie building permit allocations to resources.
General Goals- 4. Distribution of Land Uses	Encourage an urban environment that is an orderly arrangement of buildings, improvements, and open space appropriate to the size and scale of development for each community by: a. Maintaining a clear distinction between urban and rural scale development. Rural uses outside of urban and village areas should be predominantly agriculture, low-intensity recreation, low-density residential and open space uses, which will preserve and enhance the pattern of identifiable communities.	Potentially Inconsistent: Refer to General Response 6 and 9.
	b. Identifying important agricultural, natural and other rural areas between cities and communities, and work with landowners to maintain their rural character.	Potentially Inconsistent: Refer to General Response 6 and 9.
	e. Implementing policies to determine where growth should occur, and to clearly distinguish between urban, village, transition, and outlying rural areas.	Potentially Inconsistent: Refer to General Response 6 and 9.
General Goals - 5. Location and Timing of Urban Development	Plan for a land use pattern and population distribution that is consistent with the capabilities of existing public services and facilities by: a. Encouraging the phasing of urban development in a compact manner, first using vacant or under-utilized “infill” parcels, and second lands adjacent or near these areas.	Potentially Inconsistent: Refer to General Response 6 and 9.
General Goals - 9. Public Services and Facilities	Provide additional public resources, services and facilities to serve existing communities in sufficient time by: b. Planning for and monitoring new development through the resource management system and growth management strategies, to ensure that resource demands will not exceed existing and planned capacities, or service levels.	Potentially Inconsistent: Refer to General Response 6 and 9. Projects in area with Level of Severity III conditions on one or more resource may be subject to moratorium or other measures to address the resource constraints.



Table B.2-3 Framework for Planning- Coastal

Section	Ordinance	Discussion
Land Use Goals	2. Supporting preservation of the county's agricultural industry and the soils essential to agriculture.	Potentially Consistent: The proposed Grading and Stormwater Management Ordinances include agricultural exemptions which will streamline requirements for agricultural development. Additionally, soils will be conserved by requiring employment of NRCS practices and ensuring that site work on neighboring properties will incorporate sufficient Best Management Practices to avoid sedimentation, erosion, or drainage problems which might affect agricultural uses down grade.
Flood Hazard General Objectives	2. Proposed projects should be designed with consideration for natural site features with particular attention to the following: a. Substantial physical features should be preserved, and natural vegetation (including individual trees and groves) and land contours retained wherever feasible.	Potentially Consistent: Projects occurring in flood hazard areas are subject to drainage plan preparation pursuant to the Grading and Stormwater Management Ordinances. Drainage plans are subject to the review and approval of the Department of Public Works. Drainage plans will only be approved if it can be demonstrated that alteration will not adversely diminish the capacity of the stream.
Sensitive Resource Areas General Objectives	1. Environmentally Sensitive Habitats should be identified and protected by construction setbacks, use limitations, and other appropriate regulations.	Potentially Consistent: Refer to General Responses 2 and 18.
	6. Buildings and non-farm structures on agricultural property should be located to cause the least possible conflict with agricultural production by siting them away from the productive agricultural land, while still protecting to the greatest extent possible the scenic and environmental quality of the sensitive resource area.	Potentially Inconsistent: Refer to General Response 1.

4. NORTH COAST AREA PLAN

The North Coast Area Plan was first adopted in 1988, and most recently updated in 2007. The North Coast Planning Area extends from the Monterey/San Luis Obispo County Line on the north, to Point Estero on the south, and inland to the Coastal Zone boundary below the main ridge of the Santa Lucia range. The goals, together with parts of the Land Use Element and Local Coastal Program, provide the direction for the North Coast Area Plan as well as the basic plan for the area for the next twenty years.

Table B.2-4 North Coast Area Plan

Section	Ordinance	Discussion
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Table B.2-4 North Coast Area Plan

Section	Ordinance	Discussion
Combining Designation Programs	<p>14. Erosion Control Program (LCP). The County should prepare a coordinated resource management program as part of Phase IV of Local Coastal Program implementation to reduce erosion in the Monterey pine forest. The program should be integrated with the Forest Management Program, and should utilize the best available management methods to protect the forest and to reduce areawide erosion and sedimentation impacts.</p> <p>Siltation shall be controlled and sediment shall be prevented from entering Santa Rosa Creek, or damaging other coastal resources, to the maximum extent feasible. Implementation of the certified program and establishment of a long-term funding source will require an erosion control/forest management fee established in compliance with the provisions of the Mitigation Fee Act. In addition, a manual shall be prepared by the County as a part of the program to address special development issues pertaining to the Monterey pine forest. The manual will emphasize techniques that may be used to prevent erosion and enhance and preserve the landscape, and will recommend special development regulations.</p>	<p>Potentially Consistent: The proposed Grading and Stormwater Management Ordinances will include provisions requiring new development in the Lodge Hill area of Cambria to comply with stormwater management provisions. This will provide an interim program for minimizing erosion, sedimentation, and other stormwater discharges, until the Forest Management Program is established.</p>

5. SAN LUIS BAY AREA PLAN- COASTAL

The San Luis Bay Area Plan was adopted in 1988 and revised in 2001. This report describes county land use policies for the Coastal Zone portion of the San Luis Bay Planning Area, including regulation, which are also adopted as part of the Land Use Ordinances and Local Coastal Program. Specific development “standards” are included to address special problems and conditions in individual communities. Proposed “programs” are also noted at the end of particular chapters as non-mandatory actions recommended to be initiated by the communities through the county or other specified public agency to work toward correcting local problems or conditions. In addition, combining designations have been applied to specific areas to identify potential natural hazards and locations of notable resources.



Table B.2-5 San Luis Bay Area Plan- Coastal

Section	Ordinance	Discussion
Sensitive Resource Areas (SRA) 9. Site Planning – Development Plan Projects	Projects requiring Development Plan approval are to concentrate proposed uses in the least sensitive portions of properties. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. Native vegetation is to be retained as much as possible.	Potentially Consistent: Refer to General Responses 2, 17, and 18.
Sensitive Resource Areas (SRA) 13. Oceano Lagoon (SRA)	Development within Oceano Lagoon SRA shall be limited to those development permitted consistent with the wetland policies in the LUE and LCP Policy Document. Additionally, development shall be sited to maintain and where feasible restore the biological capacity of the lagoon through among other means, minimizing, adverse effects of waste water discharges and entertainment, controlling runoff, preventing depletion of groundwater supplies and substantial interface with surface waterflow, and maintaining natural vegetation buffer areas.	Potentially Consistent: Refer to General Responses 2, 17, and 18.
Avila Beach – Communitywide: 1. Water Authorization Required	Submittal of a “will-serve” letter from the Avila Water District is required prior to issuance of any building permits for construction proposed to have water service.	Potentially Consistent: Refer to General Response 17.
Residential – 1. View Protection	All new residential development shall be designed to protect public view corridors to the beach and ocean.	Potentially Consistent: Refer to General Responses 11, 14, and 17.
Open Space – 1. Riparian Vegetation	Riparian vegetation is to be retained along creekways.	Potentially Consistent: Refer to General Responses 2, 3, 17, and 18.
Oceano Urban Area Standards – Oceano Lagoon (SRA): 4. Permit Requirement	All uses shall require Site Plan approval unless Development Plan approval is required by the Coastal Zone Land Use Ordinance. The site shall be surveyed by a qualified biologist to determine the extent of the wetlands and riparian vegetation on site or on surrounding parcels and to recommend necessary mitigations including minimum setbacks, site restoration, etc. Setbacks shall be a minimum of 25 feet from the established wetlands or riparian vegetation.	Potentially Consistent: Refer to General Responses 2, 3, 17, and 18.
Oceano Urban Area Standards – Oceano Lagoon (SRA): 5. Limitation on Use	Development within Oceano Lagoon is prohibited. Any lagoon maintenance program to support continued capacity shall also preserve the lagoon in a natural state, including the parcel transferred from the county to the South San Luis Obispo County Sanitation District.	Potentially Consistent: Refer to General Responses 2, 3, 17, and 18.



6. SOUTH COUNTY AREA PLAN- COASTAL

The South County Area Plan was adopted in 1988. This report describes county land use policies for the coastal zone portion of the South County Planning Area, including regulations which are also adopted as part of the Land Use Ordinance and Local Coastal Program. Specific development “standards” are included in this report to address special problems and conditions in individual communities. Proposed “programs” are also noted at the end of the chapters on Public Services, Circulation, Land Use, and Combining Designations.

Table B.2-6 South County Area Plan- Coastal

Section	Ordinance	Discussion
Rural Area Programs – Areawide	1. Agricultural Preserves. The county should continue to encourage owners of eligible lands to participate in the agricultural preserve program.	Potentially Consistent: By maintaining the agricultural exemption and alternative review programs, this will allow flexibility for agriculturalists seeking to continue and expand production. This will help with the viability of production on sites under agricultural preserve.
Combining Designations Programs– Sensitive Resource Area (SRA): Black Lake Canyon	2. Preservation. Preservation of this unique environment should be given priority in the county Capital Improvement Program. 3. Resource Protection Plan. The county should seek state and federal grant funds to prepare a resource protection plan for the canyon. 4. Open Space Easements. The county should acquire open space easements on lands below the canyon rim.	Potentially Consistent: Refer to General Responses 2 and 18.
Rural Area Standards: Areawide - Site Design and Construction	5. Sloping Sites. Development Plan proposals for sites with varied terrain are to include design provisions for concentrating developments on moderate slopes, with the steeper slopes visible from public roads remaining undeveloped.	Potentially Consistent: Refer to General Response 17.

7. TITLE 23 (COASTAL ZONE LAND USE ORDINANCE)

The Coastal Zone Land Use Ordinance was adopted in 1988, and revised in 2001. The regulations set forth in this ordinance have been adopted to guide and manage the future growth of the county in accordance with the County General Plan and the Local Coastal Program and to regulate land use to encourage the orderly development and beneficial use of county lands. In addition, this ordinance seeks to provide appropriate development standards to minimize adverse effects on the public, protect and enhance the significant natural, historic, archaeological and scenic resources within the county, and to assist the public in identifying and understanding regulations affecting the development and use of land.



Table B.2-7 Title 23 (Coastal Zone Land Use Ordinance)

Section	Ordinance	Discussion
23.04.050 Non-Agricultural uses in the Agriculture Land Use Category	a. Siting of structures. A single-family dwelling and any agricultural accessory buildings supporting the agricultural use shall, where feasible, be located on other than prime soils and shall incorporate mitigation measures necessary to reduce negative impacts on adjacent agricultural uses.	Potentially Inconsistent: Refer to General Response 1.
23.05.064 Tree Removal Standards	e. Preservation of trees and natural vegetation. New development shall incorporate design techniques and methods that minimize the need for tree removal.	Potentially Consistent: Refer to General Response 2.
23.05.140 Archeological Resources Discovery	In the event archeological resources and unearthed or discovered during any construction activities, the following standards apply: a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. b. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.	Potentially Consistent: Refer to General Response 5.
23.07.022 Limitation on Use	Developments within areas covered by land use plans adopted by the San Luis Obispo County Airport Land Use Commission are limited to those identified in the plans as “compatible” and “conditionally approvable.” Projects conditionally approvable may be granted a permit only when in conformity with all conditions of the applicable airport land use plan or implementing rules adopted pursuant thereto.	Potentially Consistent: Projects within the Airport Review land use combining designation are required to be consistent with applicable Airport Land Use Plan (ALUP) standards. The proposed Grading and Stormwater Management Ordinances does not affect compliance with an ALUP.
23.07.066 Construction Standards	New Structures or an increase of 65 percent in the square footage of any existing structures (including manufactured homes) or other construction activities within a Flood Hazard Area combining designation are subject to the following: (6) All building or structures shall be located landward of mean high tide.	Potentially Consistent: New structural development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
23.07.104 Archaeologically Sensitive Areas	d. Required finding. A land use or construction permit may be approved for a project within an archaeologically sensitive area only where the applicable approval body first finds that the project design and development incorporates adequate measures to ensure protection of significant archeological resources.	Potentially Consistent: New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.



Table B.2-7 Title 23 (Coastal Zone Land Use Ordinance)

Section	Ordinance	Discussion
23.07.164 SRA Permit and Processing Requirements	b. Application content. Land use permit applications for projects within a Sensitive Resource Area shall include a description of measures proposed to protect the resource identified by the Land Use Element (Part II) area plan.	Potentially Consistent: Refer to General Response 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
	e. Required findings. Any land use permit application within a Sensitive Resource Area shall be approved only where the Review Authority can make the following required findings: (1) The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design.	Potentially Consistent: Refer to General Responses 11 and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
	(2) Natural features and topography have been considered in the design and siting of all proposed physical improvements.	
	(3) Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.	
	(4) The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.	
23.07.166 Minimum Site Design and Development Standards	e. Where an SRA is applied because of specified species of trees, plants or other vegetation, such species shall not be disturbed by construction activities or subsequent operation of the use, except where authorized by Development Plan approval.	Potentially Consistent: Refer to General Responses 2, 11, and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
23.07.170 Environmentally Sensitive Habitats	b. Required Findings. Approval of a land use permit for a project within or adjacent to an Environmentally Sensitive Habitat shall not occur unless the applicable review body first finds that: (1) There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat. (2) The proposed use will not significantly disrupt the habitat.	Potentially Consistent: to General Responses 2, 11, and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
	d. Development standards for environmentally sensitive habitats. (1) New development within or adjacent to the habitat shall not significantly disrupt the resource. (2) New development within the habitat shall be limited to those uses that are dependent upon the resource. (3) Where feasible, damaged habitats shall be restored as a condition of development approval.	



Table B.2-7 Title 23 (Coastal Zone Land Use Ordinance)

Section	Ordinance	Discussion
23.07.172 Wetlands	Development proposed within or adjacent to (within 100 feet of the upland extent of) a wetland area shown on the Environmentally Sensitive Habitat Maps shall satisfy the requirements of this section to enable issuance of a land use or construction permit. These provisions are intended to maintain the natural ecological functioning and productivity of wetlands and estuaries and where feasible, to support restoration of degraded wetlands. a. Location of development. Development shall be located as far away from the wetland as feasible, provided that other habitat values on the site are not thereby more adversely affected.	Potentially Consistent: to General Responses 2, 11, and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
	d. Wetland setbacks. New development shall be located a minimum of 100 feet from the upland extent of all wetlands, except as provided by subsection d (2). If the biological report required by Section 23.07.170 (Application Content) determines that such setback will provide an insufficient buffer from the wetland area, and the applicable approval body cannot make the finding required by Section 23.07.170b, then a greater setback may be required.	Potentially Consistent: to General Responses 2, 11, and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
	(2) Wetland setback adjustment. The minimum wetland setback may be adjusted through Minor Use Permit approval (but in no case shall be less than 25 feet), provided that the following findings can be made: (i) The site would be physically unusable for the principal permitted use unless the setback is reduced. (ii) The reduction is the minimum that would enable a principal permitted use to be established on the site after all practical design modifications have been considered. (iii) That the adjustment would not allow the proposed development to locate closer to the wetland than allowed by using the stringline setback method pursuant to Section 23.04.118a of this title.	Potentially Consistent: to General Responses 2, 11, and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.
23.07.174 Streams and Riparian Vegetation	Coastal streams and adjacent riparian areas are environmentally sensitive habitats. The provisions of this section are intended to preserve and protect the natural hydrological system and ecological functions of coastal streams. a. Development adjacent to a coastal stream. Development adjacent to a coastal stream shall be sited and designed to protect the habitat and shall be compatible with the continuance of such habitat. d. Riparian setbacks. New development shall be setback from the upland edge of riparian vegetation a minimum of 50 feet within urban areas (inside the USL) and 100 feet in rural areas (outside the USL), except as provided in subsection b. of this section.	Potentially Consistent: to General Responses 2, 3, 11, and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.



Table B.2-7 Title 23 (Coastal Zone Land Use Ordinance)

Section	Ordinance	Discussion
23.07.176 Terrestrial Habitat Protection	<p>The provisions of this section are intended to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitats. Emphasis for protection is on the entire ecological community rather than only the identified plant or animal.</p> <p>a. Protection of vegetation. Vegetation that is rare or endangered, or that serves as habitat for rare or endangered species shall be protected. Development shall be sited to minimize disruption of habitat.</p>	<p>Potentially Consistent: to General Responses 2, 11, and 18. New development under the proposed Grading and Stormwater Management Ordinances will be required to comply with all applicable combining designation standards.</p>
23.08.167 Residential Uses in the Agriculture Category	<p>Agriculture land use category, including primary housing and farm support quarters are allowed accessory uses on the same site as an agricultural use, subject to the standards of this section. Such dwellings may include mobilehomes, subject also to the standards in Section 23.08.163 (Individual Mobile homes).</p> <p>a. Limitation on dwelling location – prime soils. Primary family housing and farm support quarters shall not be located on prime agricultural soils unless there is no other building site on the ownership that is all of the following: (1) on other than prime soils; (2) Less than 20 percent in slope; (3) Not within a designated Flood Hazard Combining Designation.</p>	<p>Potentially Consistent: Refer to General Response 1. This standard allows residences to be located on prime farmland only if no other suitable site is available.</p>

